

Robert B. Wilson

Chapter 13 Trustee

6308 Iola Avenue, Suite 100 Lubbock, TX 79424

(806) 748-1980 Phone (806) 748-1956 Fax

IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

JASON MICHAEL LUCAS & SARAH ELIZABETH LUCAS

CASE NO. 14-70263-HDH-13

AKA1:

AKA2:

DBA1:

DBA2:

SS#1: xxx-xx- 3249

SS#2: xxx-xx- 3114

**REPORT OF 341 MEETING**

**I. 341 MEETING REPORT:**

A. Orig. Date: 9/22/2014 Orig. Time: 11:00 AM Reset Date: Reset Time:

B. Meeting Results: Adjourned

C. Debtor(s): Debtor 1 Appeared Debtor 2 Appeared

D. Attorney for Debtor(s): Appeared

E. Creditor Appearance: None

F. Amount Paid to the Trustee as of 9/22/2014 \$720.00 First Payment Due Date: 9/18/2014

G. File Trustee's Motion to Dismiss because

H. B22C Information: B22C Form is: Incomplete  
Budgeted Income: \$4,253.70 Expense: \$3,533.70 Surplus: \$720.00  
Plan Payment: \$720.00 Monthly Plan Term(Months): 60

I. Value of Non-Exempt Property: \$0.00 Proposed Amount to Unsecured Creditors: \$0.00  
Objection to Exemption of:  
Repeat Filing (If case dismissed, it should be with prejudice) Previous Case Numbers:  
Object to Invoke Stay Pleading  
Case Converted from Chapter 7, Bar Date Set: 12/22/2014 Date Converted from Chapter 7:

J. Required Information: Child Custody Orders, Home insurance, Mr & Mrs income records or affidavit

K. Business Information:

L. Object to Confirmation: Yes  
22c can't be verified until all income records are provided  
Sch I can't be verified until all income records are provided  
Failure to include all disposable income  
Plan fails to provide for Capital Loan's \$1,975.92 secured claim  
Plan fails to provide for IRS' \$2,000 priority 2011-12 tax claim  
Feasibility until all claims are properly treated

M. Financial Management Class: Debtor 1 Did Not Appear Debtor 2 Did Not Appear

N. Eligibility:  
Certificate of Credit Counseling Filed: Both Debtor 1 and Debtor 2  
Credit Counseling Provider Approved: Yes  
Debt Limits Exceeded (Secured-\$1,081,400; Unsecured-\$360,475): No

O. Domestic Support Obligation: \$0.00 Current: Arrears: \$0.00  
Affidavit and Disclosure of Domestic Support Obligations Received: Yes

**P. Remarks: MTD**

-DSO lists incorrect claim holder  
His father took custody of child & orders were not modified.  
-Mr's child support orders  
-Home insurance  
-Mr's income records or affidavit 2/1/14 - 7/31/14. Employment, child support, SNAP, etc.  
-Mr receive or owe child support? Need child support plan in English.  
-Mrs' income records or affidavit 2/1/14 - 7/31/14. Employment, child support, SNAP, etc  
Questions

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-Verify DSO

-DSO states James Lucas is the claim holder?

Yes that is his father.

The Child support order was modified and there is no current child support. All arrears.

-Who does the court order state as the claim holder, the mother?

-Using son's name instead of actual Claim Holder?

No it is his father. The mother pays him child support & he has custody now.

-22c can't be verified until all income records are provided

-Need clear answers & complete income records or affidavits about income.

He was not employed only received the child support from the mother & the proof will be provided & in English  
He has non-profit that he does not earn anything from.

She was employed at a day care for a few weeks, but otherwise just the child support and Univ Park

-Sch I can't be verified until all income records are provided

-Need clear answers, complete income records, or affidavits about income.

-Need child support statements, SNAP/state benefits, income records.

SNAP & Medicaide, she gets child support.

-Mr employed?

No, but looking

-Trustee requests Mr's new income records

N/A

-Failure to include all disposable income

-Plan fails to provide for Capital Loan's \$1,975.92 secured claim

-Plan fails to provide for IRS' \$2,000 priority 2011-12 tax claim

-Feasibility until all claims are properly treated

Dated: 9/22/2014

/s/ Robert B. Wilson

Standing Bankruptcy Trustee

By: Brent Hagan

Case Number:	14-70263
Debtor:	Lucas
Attorney:	White
Presiding Officer:	Brent Hagan
Calculation Date:	9/19/2014 13:44

Domestic Support <b>Input name from Plan</b>	Arrears Enter amount from Plan	Int. Rate Enter from Plan	Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
TX AG	\$12,962.72	0.00%	40	\$324.07	\$12,962.72
	\$0.00	0.00%	1	\$0.00	\$0.00

Secured Creditor/Collateral <b>Input name from Plan</b>	Value/Claim Amount Enter amount from Plan	Int. Rate Enter from Plan	Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
Seterus	\$5,710.56	6.50%	60	\$111.73	\$6,704.02
TX Car Mart	\$9,605.66	5.50%	60	\$183.48	\$11,008.76
Cap Loans -- \$1,975.92 not provided for	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00

Priority Creditor <b>Input name from Plan</b>	Value/Claim Amount Enter amount from Plan		Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
IRS -- \$2,000 not provided for	\$0.00		1	\$0.00	\$0.00
Mr's 2011-12 unas liab taxes	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00

Attorney Fees <b>Paid Through the Plan</b>	\$3,275.00				\$3,275.00
Noticing Fees	\$0.00				\$0.00
Clerk Filing Fees	\$0.00				\$0.00

Hardacre Minimum	\$0.00	<div style="display: flex; align-items: center;"> <div style="flex: 1; border-left: 1px solid black; padding-left: 10px;"> <div style="display: flex; justify-content: space-between;"> <span>&lt;-----</span> <span>Greater Of -----&gt;</span> </div> </div> </div>	
Chapter 7 Minimum (Gross)	\$0.00		
Less Trustee Fees	\$0.00		
Less Attorney Fees	\$3,275.00		
Less Noticing Fees	\$0.00		\$0.00
Less Clerk Filing Fees	\$0.00		
Less Scheduled Priority Claims	\$12,962.72		
Less Other (Explain Below)	\$0.00		
Chapter 7 Minimum (Net)	\$0.00	<-----	

Total Scheduled General Unsecured Claims (Limits Greater of Hardacre or Chapter 7 Minimum)	\$28,511.00
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Calculated Base (Admin, Secured, Priority, DSO, Lower of Minimum or Sched U/S & Trustee Fee)	\$37,722.77
Debtor Plan Base (Monthly Payment X Term)	\$43,200.00
Surplus (Debtor Plan Base - Calculated Base)	\$5,477.23

Comments: